

ORDINANCE NO. 16-02

AN ORDINANCE AMENDING SECTION 6-2B OF THE TOWN OF FREDERICA LAND DEVELOPMENT ORDINANCE TO INCLUDE A CONDITIONAL USE ON BILLBOARD STRUCTURES FOR THE PURPOSE OF ADVERTISEMENT

WHEREAS, The General Assembly has, through the Frederica Town Charter, granted the Town Council home rule authority, particularly with regard to planning and zoning decisions; and

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code grants legislative bodies of incorporated towns the power to regulate the location and use of buildings, structures and land for trade, industry, residences or other purposes for the purpose of promoting health, safety, morals or the general welfare of the community;

WHEREAS, Title 22, Chapter 3, Section 304 of the Delaware Code states the “legislative body of the municipality shall provide for the manner in which the regulations and restrictions and the boundaries of the districts shall be determined, established and enforced and from time to time amended, supplemented or changed”;

WHEREAS, Article 16 of the Land Development Ordinance approved by the Frederica Town Council in May 2005, as amended and adopted March 19, 2008, and October 5, 2011 states the “Municipal Governing Body may amend, supplement, change or modify the number, shape, area, or boundaries of the zoning districts or the text of the regulations contained in this Ordinance”;

WHEREAS, notice of public hearing concerning the proposed amendments to the Land Development Ordinance was sent, by certified mail, to owners of affected properties and those who own property within 200 feet of an affected property; and

WHEREAS, a public hearing following fifteen (15) days’ notice by publication in an official paper of general circulation within the municipality was held on

May 18, 2016,

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Frederica, in session met, a quorum pertaining at all times thereto, that Section 6-2b Conditional Use for Billboard Structures be amended as follows:

Section 6-2b

5-h Conditional use: Billboard Structures for the purpose of advertisement shall be permitted only as conditional use if property is adjacent to Rt. 1 and meets all outdoor permit requirements established by DELDOT.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon its adoption by a majority vote of the Town Council;

ORDAINED AND ENACTED INTO THE LAW by a majority vote of the Council Members present at a regular session of Frederica Town Council, Delaware on the 18th day of MAY, A.D. 2016.

First Reading: April 20, 2016

Public Hearing and Second Reading: MAY 18, 2016

Published: May 23, 2016

William C. Glanden

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Mayor

I do hereby certify that the foregoing is a true and correct copy of the Ordinance passed by the Town Council at its meeting on May 18, 2016 at which meeting a quorum was present and voting throughout that the same is still in full force and effect.

Janet White
Clerk